

(i) Directly to the Secretary of Labor; and

(ii) Through the contracting officer to each prime contractor.

(c) Use the clause at 252.249-7002, Notification of Anticipated Contract Termination or Reduction, in all contracts under a major defense program.

[61 FR 64637, Dec. 6, 1996; 61 FR 66077, Dec. 16, 1996; 62 FR 49304, Sept. 19, 1997]

## PART 250—EXTRAORDINARY CONTRACTUAL ACTIONS AND THE SAFETY ACT

### Subpart 250.1—Extraordinary Contractual Actions

Sec.

250.100 Definitions.

250.101 General.

250.101-2 Policy.

250.101-2-70 Limitations on payment.

250.101-3 Records.

250.102 Delegation of and limitations on exercise of authority.

250.102-1 Delegation of authority.

250.102-1-70 Delegations.

250.102-2 Contract adjustment boards.

250.103 Contract adjustments.

250.103-3 Contract adjustment.

250.103-5 Processing cases.

250.103-6 Disposition.

250.104 Residual powers.

250.104-3 Special procedures for unusually hazardous or nuclear risks.

250.104-3-70 Indemnification under contracts involving both research and development and other work.

AUTHORITY: 41 U.S.C. 421 and 48 CFR Chapter 1.

SOURCE: 73 FR 46815, Aug. 12, 2008, unless otherwise noted.

### Subpart 250.1—Extraordinary Contractual Actions

#### 250.100 Definitions.

*Secretarial level*, as used in this subpart, means—

(1) An official at or above the level of an Assistant Secretary (or Deputy) of Defense or of the Army, Navy, or Air Force; and

(2) A contract adjustment board established by the Secretary concerned.

#### 250.101 General.

##### 250.101-2 Policy.

##### 250.101-2-70 Limitations on payment.

See 10 U.S.C. 2410(b) for limitations on Congressionally directed payment of a request for equitable adjustment to contract terms or a request for relief under Public Law 85-804.

##### 250.101-3 Records.

Follow the procedures at PGI 250.101-3 for preparation of records.

#### 250.102 Delegation of and limitations on exercise of authority.

##### 250.102-1 Delegation of authority.

(b) Authority under FAR 50.104 to approve actions obligating \$65,000 or less may not be delegated below the level of the head of the contracting activity.

(d) In accordance with the acquisition authority of the Under Secretary of Defense (Acquisition, Technology, and Logistics (USD (AT&L))) under 10 U.S.C. 133, in addition to the Secretary of Defense and the Secretaries of the military departments, the USD (AT&L) may exercise authority to indemnify against unusually hazardous or nuclear risks.

[73 FR 46815, Aug. 12, 2008, as amended at 75 FR 45074, Aug. 2, 2010]

##### 250.102-1-70 Delegations.

(a) *Military departments*. The Departments of the Army, Navy, and Air Force will specify delegations and levels of authority for actions under the Act and the Executive Order in departmental supplements or agency acquisition guidance.

(b) *Defense agencies*. Subject to the restrictions on delegations of authority in 250.102-1(b) and FAR 50.102-1, the directors of the defense agencies may exercise and redelegate the authority contained in the Act and the Executive Order. The agency supplements or agency acquisition guidance shall specify the delegations and levels of authority.

(1) Requests to obligate the Government in excess of \$65,000 must be submitted to the USD (AT&L) for approval.